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Application Number

10/657.659

Filing Date

September 8, 2003

First Named Inventor

Edward F. Andrewiavage, Jr.

Art Unit

3724

Examiner Name

Phong H. Nguyen

Attorney Docket Number

ADP-167.1

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1. Transmittal Form (PTO/SB/21; 1 page; this page)
2. Response (5 pages)

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Firm Name

Maurice M. Klee, Ph.D.

Signature

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Printed name

Maurice M. Klee, Ph.D.

Date

September 1, 2006

Reg. No.

30,399

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[275] Attorney Docket No. : ADP-167.1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Edward F. Andrewlavage, Jr.
Serial No. : 10/657,659
Filed : September 8, 2003
For : AUTOMATED FLAT GLASS SEPARATOR
Examiner : Phong H. Nguyen
Group : 3724

RESPONSE

This is in response to the Office Action dated June 2, 2006.


No extension of time is believed to be necessary for the filing of this response, but if such an extension of time is required, applicant requests that this be considered a petition therefor. The Director is hereby authorized to charge any fees which may be required for such an extension to Deposit Account No. 11-1158.

In the June 2nd Office Action, the Examiner indicated:

- (1) Claims 1-4, 8, and 10-15 are allowed.
- (2) Claims 7 and 16 would be allowable if written in independent form.
- (3) Independent Claim 5 and its dependent Claims 6 and 9 are rejected under 35 USC §102(b) as allegedly anticipated by Dryon, U.S. Patent No. 3,517,869 (Dryon).

Applicant respectfully traverses the rejection of Claims 5, 6 and 9. The following chart sets forth the limitations of applicant's independent Claim 5 and the totality of the Examiner's comments regarding those limitations in the June 2nd Office Action:

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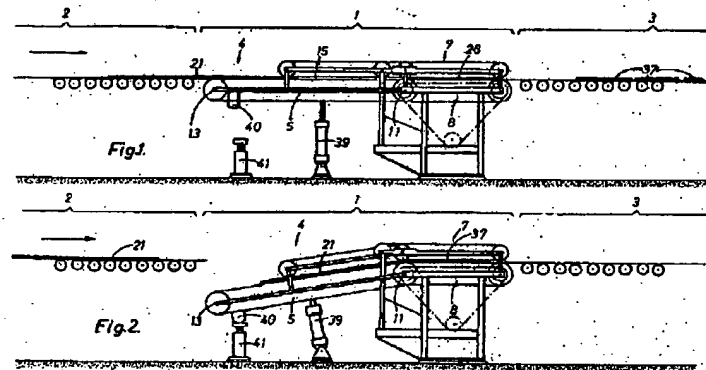
Independent Claim 5	June 2, 2006 Office Action
A method for separating a pane of a brittle material from a moving ribbon of the material along a separation line, said pane and said ribbon having a width, said pane when separated having a length, said movement of the ribbon being described by a vector, said method comprising:	Regarding claims 5 and 9, Dryon teaches a method for separating a pane of a brittle material from a moving sheet of material comprising the steps of:
(a) releasably engaging the moving ribbon within an area defined by the length and width of the to-be-separated pane, said area becoming the pane when separated from the ribbon;	(a) releasably engaging the moving sheet within an area defined by the to-be-separated-pane (belts 8, 9);
(b) rotating the to-be-separated pane about an axis which substantially coincides with the separation line, said rotation causing the pane to separate from the ribbon ; and	(b) rotating the to-be-separated-pane about an axis which substantially coincides with the separation line (at the location where belt assembly 4 and 7 meet); and
(c) moving the separated pane relative to the moving ribbon so that the pane and the ribbon do not contact each other once separation occurs, said movement employing as a motive force at least one of a hydraulic force, a mechanical spring force, a pneumatic force, and a vacuum	(c) moving the separated pane relative to the moving sheet by using spring force (spring 32 pulls the pane 37 down from an inclined surface to a horizontal surface).
wherein the ribbon moves continually before, during, and after (a), (b), and (c).	

As the highlighted words and the grayed-out box in this table graphically illustrate, the Examiner did not point to any part of the Dryon patent as disclosing a ribbon which "moves continually before, during, and after (a), (b), and (c)." The reason for this omission is simple -- Dryon has no such disclosure.

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The following are copies of Figures 1 and 2 of Dryon:



Dryon describes these figures as follows:

As FIGS. 1 and 2 show, the arrangement 1 according to the invention is interposed between a roller-train conveyor 2 bringing sheets of glass from a scoring-station, and a roller-train conveyor 3 removing the masses of glass after the cutting-up of the sheet. (Dryon at column 3, lines 13-17.)

As this passage makes clear, Dryon works with an individual sheet of glass (see reference number 21) that has been pre-scored at a scoring-station and is then fed to Dryon's glass breaking arrangement where the sheet is sub-divided into "masses of glass" (see reference number 37). In this process, the original sheet 21 is consumed and replaced by the separated masses of glass 37.

Dryon further describes the operation of his process at column 4, lines 23-43:

For the operation of the arrangement described, reference will be made to FIGS. 1 and 2. FIG. 1 shows the mobile pair of conveyors 4 in the raised position....In this position, the sheets of glass 21...are passed successively from the scoring station....When a sheet is placed on the lower conveyor 5, the latter is lowered...and it remains in this position until the whole sheet has crossed the inclined passage....The jack 39 then immediately raises the pair of conveyors 4 to allow the conveyor 5 to be loaded with a new sheet of glass, while the roller-train conveyor 3 removes the cut up masses of glass 37 towards the next work-station or towards storage.

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Again it is absolutely clear that as a result of passing through Dryon's sheet breaking arrangement, glass sheet 21 is consumed and replaced by the cut up masses of glass 37.

Applicant's Claim 5 requires a ribbon that moves continually before, during, and after (a), (b), and (c). Put simply, Dryon's sheet 21 cannot be such a ribbon since the sheet no longer exists at the end of Dryon's process.

In applicant's process, a ribbon both exists and continually moves "before, during, and after (a), (b), and (c)," as illustrated in Figures 1-12 of applicant's specification (see reference number 13 in these figures). The following are copies of applicant's Figures 6 and 7 which illustrate part of the "after" portion of this movement.

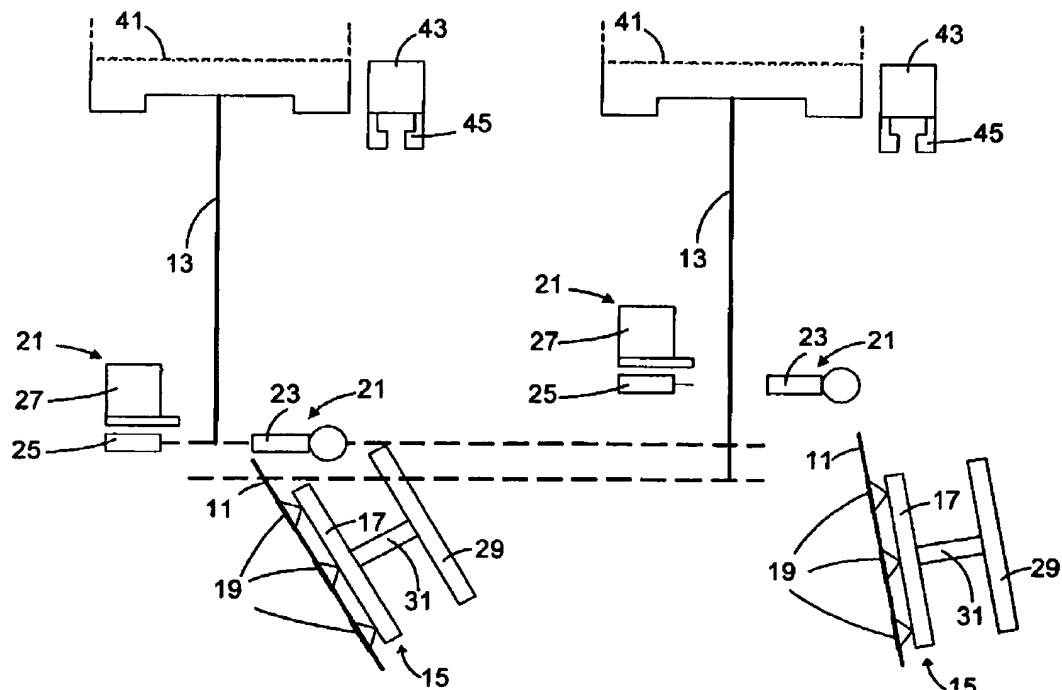


FIG. 6

FIG. 7

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As can be seen from the dashed lines which have been superimposed on these figures, ribbon 13 is longer in Figure 7 than in Figure 6 because of its continual movement throughout applicant's process.

In view of the foregoing, it is evident that Dryon does not disclose or suggest applicant's Claims 5, 6, and 9 because Dryon does not have a ribbon which "moves continually before, during, and after (a), (b), and (c)." Accordingly, applicant respectfully requests reconsideration, withdrawal of the §102 rejection, and the issuance of a notice of allowance for this application.

Respectfully submitted,

Date: 9/1/06

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